

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DIANE PATCHEN,

Plaintiff

v.

TREVOR McGUIRE, *et al.*,

Defendants.

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CIVIL ACTION

NO. 11-5388

**ORDER**

**AND NOW**, this 27th day of September, 2012, upon consideration of the motions filed by defendants Trevor McGuire, Eatsleepmusic Corp., Shanda Lancaster Maddox, Laurence Dickerson, and Catherine Loudon to dismiss plaintiff's second amended complaint (Document Nos. 36, 37, 39, & 41); plaintiff Diane Patchen's opposition thereto; and defendants' replies; and upon consideration of plaintiff's motion for severance and transfer of the claims against Maddox and Dickerson (Document No. 34); defendants' opposition thereto; and plaintiff's reply, it is hereby **ORDERED** that:

1. Defendants McGuire and ESM's motion to dismiss pursuant to Federal Rule of Civil Procedure 12(b)(2) is hereby **GRANTED** and all claims against these defendants are **DISMISSED WITHOUT PREJUDICE**. Defendants McGuire and ESM's motion to dismiss pursuant to Fed. R. Civ. P. 12(b)(6) is therefore **DISMISSED AS MOOT**.
2. Defendant Maddox's motion to dismiss pursuant to Federal Rule of Civil Procedure 12(b)(2) is hereby **GRANTED** and all claims against this defendant are

**DISMISSED WITHOUT PREJUDICE.** Defendant Maddox's motion to dismiss pursuant to Fed. R. Civ. P. 12(b)(6) is therefore **DISMISSED AS MOOT.**

3. Defendant Dickerson's motion to dismiss pursuant to Federal Rule of Civil Procedure 12(b)(2) is hereby **GRANTED** and all claims against this defendant are **DISMISSED WITHOUT PREJUDICE.** Defendant Dickerson's motion to dismiss pursuant to Fed. R. Civ. P. 12(b)(6) is therefore **DISMISSED AS MOOT.**
4. Defendant Loudon's motion to dismiss pursuant to Federal Rule of Civil Procedure 12(b)(2) is hereby **GRANTED** and all claims against this defendant are **DISMISSED WITHOUT PREJUDICE.** Defendant Loudon's motion to dismiss pursuant to Fed. R. Civ. P. 12(b)(6) is therefore **DISMISSED AS MOOT.**
5. Plaintiff's motion for severance and transfer of the claims against defendants Maddox and Dickerson is **DENIED.**

/s/ William H. Yohn Jr., Judge  
William H. Yohn Jr., Judge